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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/159,695	09/24/1998	B. REILLY BARRY	COS-97-087	5454

25537 7590 12/15/2004

MCI, INC  
TECHNOLOGY LAW DEPARTMENT  
1133 19TH STREET NW, 10TH FLOOR  
WASHINGTON, DC 20036

EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/159,695

Applicant(s)

TUSA ET AL.

Examiner

Bunjob Jaroenchonwanit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43,45-97 and 99-113 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-28,45,46,50-83,99,100 and 104-113 is/are rejected.
- 7) ☒ Claim(s) 29-43,47-49,84-97 and 101-103 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. In response to the amendment filed 06/08/04, Claim 1-2, 6, 58-59 and 112-113 are amended. Since the amendment merely moved a limitation such as logon object, which previously presented claims 6 to include in claim 1, does not introduce any new limitation, the same reject is applicable and the ground of rejection is being revised, as stated below.
2. In view of IDS paper no. 28, filed 09/16/02, Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 119(e) as follows: there is no common inventor(s) between the instant application and the provisional application, "An application for patent filed under section 111(a) or section 363 of this title for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in a provisional application filed under section 111(b) of this title, by an inventor or inventors named in the provisional application, shall have the same effect, as to such invention, as though filed on the date of the provisional application filed under section 111(b) of this title, if the application for patent filed under section 111(a) or section 363 of this title is filed not later than 12 months after the date on which the provisional application was filed and if it contains or is amended to contain a specific reference to the provisional application." See, 35 U.S.C. 119(e)(1). Applicant is not entitled to benefit of the claimed priority.
3. The text of those sections of Title 35, U.S. Code 102 and 103 not included in this action can be found in a prior Office action.
4. Claims 1-28, 45-46, 50-83, 99-100 and 104-113 are rejected under 35 U.S.C. 102(e) as being anticipated by Brandt et al. (US. 6,377,993, IDS filed 9/16/02).

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5. Claims 1-3, 5-7, 9, 11-15, 58-60, 62-64, 67-71, 112 and 113 are rejected under 35 U.S.C. 102(e) as being anticipated by Hind et al., (US. 5,987,523) and Riggins et al. (US. 6,131,116) and Radia et al (US 5,848,233).
6. Claims 4 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind-Riggins-Radia, applied to claims 2 or 60, and in view of Carroll (US. 6,105,13).
7. Claims 8, and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind-Riggins-Radia as applied to claims 2 or 60, in view of Chung et al (US. 6,012,090).
8. Claims 10 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind-Riggins-Radia as applied to claims 2 or 60, and Montulli (US. 5,774,670) and Harrison et al. (US. 5,208,908).
9. Claims 16-19 and 72-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind-Riggins-Radia as applied to claims 15 or 65, and Peterson et al (US 2001/0003828).
10. Claims 20-24 and 76-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind-Riggins-Radia-Peterson as applied to claim 16, and in view of Elliott et al. (US. 5,610,915).
11. Claims 50-55 and 104-109 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind-Riggins-Radia, as applied to claim 3 above and in view of Montulli (US. 5,774,670). Claims 52, 54, 55, 106, 108 and 109 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind-Riggins-Radia-Montulli, as applied to claims 51 and 105 above and in view of Cianfrocca et al (US. 6,088,796).

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12. Brant, Hind, Riggins, Radia, Carroll, Chung, Patterson, Montulli, Cianfrocca are cited for rejecting in the Office Action mailed 7/9/03, which are applicable for the rejection, and Spielman and Brady, which are cited to support Judicial Notice, are hereby incorporated by references.

13. Claims 29-43, 47-49 and 84-97, 101-103 are objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

14. Applicant's arguments filed 6/8/04 have been fully considered but they are not persuasive.

The argument regarding to Brandt, the argument moot since the petition was twice dismissal.

The argument regarding claims Hind, Carroll, Radia, Riggins, Chung, Montulli, Harrison, Cianfrocca, Spielman and Brady are fully considered and the previous presented Office Action are clearly elaborated, thus argument not persuasive.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

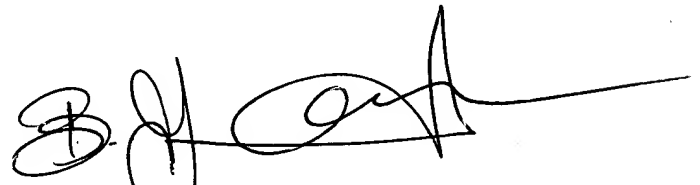
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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (571) 272-3913. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

A handwritten signature in black ink, appearing to be 'Bunjob Jaroenchonwanit', written over a horizontal line.

Bunjob Jaroenchonwanit  
Primary Examiner  
Art Unit 2143

/bj  
December 8, 2004